

D.B. CIVIL SPECIAL APPEAL (W) NO.138/2005.
(Bal Kishan. vs. State of Raj. & Ors.)

Date :19.04.2005.

HON'BLE MR.JUSTICE N.N.MATHUR
HON'BLE MR.JUSTICE MANAK MOHTA

Mr.P.P. Choudhary, for the appellant.

We have heard learned counsel for the appellant and perused the order of the learned Single Judge dated 16.02.2005.

The appellant (Patwari) was compulsory retired as per the notice dated 9th April, 1985 under the provisions of Rule 244(2) of the Rajasthan Service Rules, 1951. The order of compulsory retirement has been upheld by the judgment of the Rajasthan Civil Services Appellate Tribunal. The learned Single Judge by a well reasoned judgment after considering all the contentions raised in depth and detail has dismissed the writ petition.

It is submitted by the learned counsel that in order to undo the disciplinary inquiry of compulsory retirement is adopted, inasmuch as just before the decision to compulsory retire the appellant inquiry was dropped against him. There is no substance in the contention raised. It is apparent that the appellant has been compulsory retired taking into consideration

the entire service record. The earlier decision for compulsory retirement were withdrawn on technical ground.

No interference is warranted with the order of the learned Single Judge.

The special appeal stands dismissed.

(MANAK MOHTA),J.

(N.N.MATHUR),J.

Ashwini/-